

THE WASHINGTON STATE GROWTH MANAGEMENT ACT: AN OVERVIEW



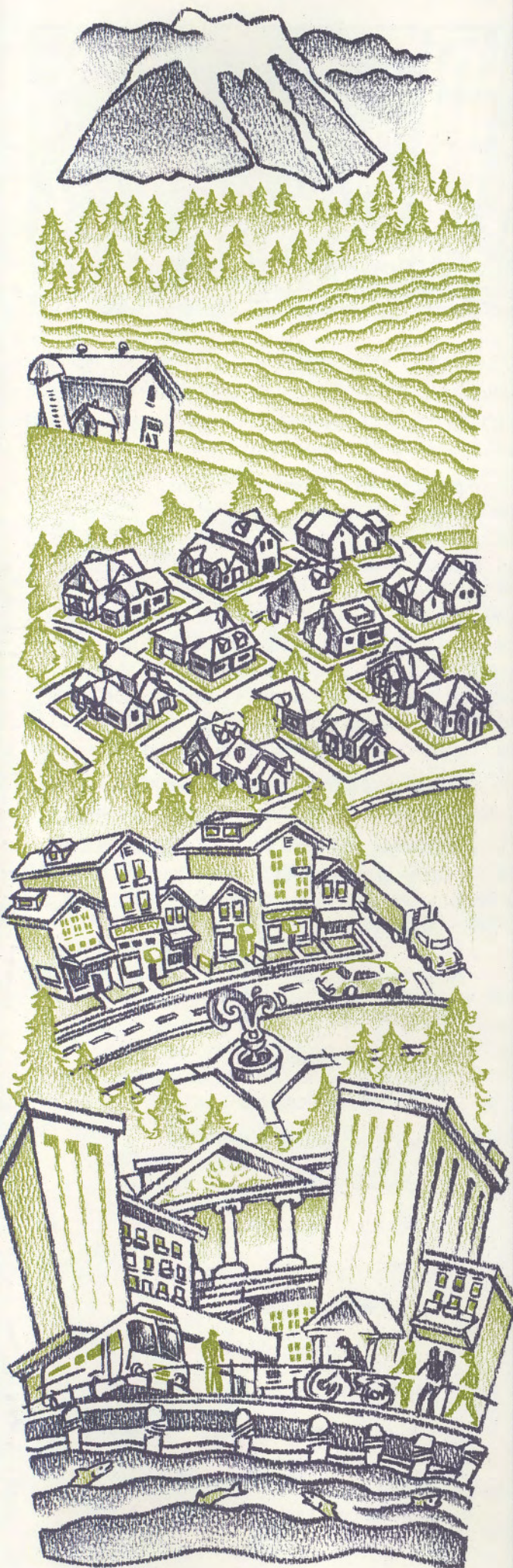
Washington state's population is growing by more than a half a million people every decade. This rapid population growth is changing the way we live and work in many parts of the state.

In response to this rapid growth, the Growth Management Act (GMA) was passed in 1990. Citizens and lawmakers were concerned because population growth and suburban sprawl were threatening Washington's forest and agricultural lands, wetlands, and wildlife habitat. Traffic congestion, especially in Western Washington, was clogging the highways and polluting the air. Sources for clean drinking water were being threatened by increasing pollution. Flooding and landslides were becoming yearly events in areas of new development. Schools, sewers, and water supplies were being strained to keep up with growth.

In short, the quality of life that made Washington such a desirable place to call home was rapidly disappearing.

To address these problems, the GMA requires all cities and counties in the state to do some planning. It calls for the fastest growing counties, and the cities within them, to plan extensively in keeping with state goals on:

- ◆ sprawl reduction
- ◆ concentrated urban growth
- ◆ affordable housing
- ◆ economic development
- ◆ open space and recreation
- ◆ regional transportation
- ◆ environmental protection
- ◆ property rights
- ◆ natural resource industries
- ◆ historic lands and buildings
- ◆ timely permitting
- ◆ public facilities and services
- ◆ early and continuous public participation
- ◆ shoreline management



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with the goals and requirements of the GMA and petitions on whether OFM's population projections should be adjusted. Boards for Eastern Washington, Central Puget Sound (Snohomish, King, Pierce, and Kitsap counties), and Western Washington hear petitions from their areas. Each board has three members appointed by the Governor.

The state, counties, cities, and aggrieved persons (who take part in the local government's planning process or are certified by the Governor) can petition the boards. There are additional limitations on petitions by the state.

Comprehensive plans and development regulations are presumed valid upon adoption. (An exception is the Shorelines Element, which requires the approval of the state Department of Ecology.) A growth management hearings board can decide otherwise only if a petitioner shows that a county or city erroneously interpreted or applied the GMA.

THE GOVERNOR CAN USE INCENTIVES AND SANCTIONS

Sanctions can be imposed if a growth management hearings board makes a finding that a county, city, or state agency has failed to comply with a board order and submits a recommendation to impose sanctions to the Governor. The Governor may, without prior hearings board review, impose sanctions for failure to meet a GMA deadline.

Incentives, penalties, and sanctions for counties and cities out of compliance with the GMA can be applied through state grants, loans, and taxing authority. Sanctions for state agencies can be withholding of state agencies' allotments.

GMA OFFERS A FRAMEWORK FOR IMPROVING PERMIT SYSTEMS

The GMA is the basis for a law passed in 1995 to improve how permits for projects are issued in Washington. The regulatory reform law seeks to make three planning laws – the Growth Management Act, State Environmental Policy Act, and Shoreline Management Act – work together more smoothly. It requires all local governments to combine environmental review and permit review. The number of hearings and appeals also are limited for all local governments.



GMA PROVIDES ESSENTIAL TOOLS FOR MANAGING GROWTH

- ◆ OCD has developed and adopted rules under the Washington Administrative Code to help local governments carry out the GMA. The minimum guidelines assist counties and cities in designating resource lands and critical areas. The procedural criteria assist counties and cities in adopting comprehensive plans and development regulations. An amendment to the procedural

criteria gives guidance on how local governments can use the best available science to designate and protect critical areas. The project consistency rule provides guidance on how to analyze project proposals for consistency with GMA plans and regulations.

- ◆ Impact fees are authorized for public streets and roads, public parks, open space and recreation facilities, school facilities, and fire facilities that are not part of a fire district. This financing system for off-site improvements is to provide for a balance between impact fees and other sources of public funds. Impact fees alone cannot be used to fund systems improvements. Only cities and counties required or choosing to plan under the GMA can impose impact fees.
- ◆ An additional 0.25 per cent real estate excise tax is authorized (without voter approval) for cities and counties required to plan. Those choosing to plan under the GMA may levy such a tax after voter approval. Revenues from this tax are to be used solely as a public contribution to the development of capital facilities, such as roads and sewers, that are identified in the capital facilities plan.
- ◆ Six counties and the cities within them are to determine, under the Buildable Lands Program, if an adequate amount of land is being provided for future urban growth. They collect data to evaluate their growth management plans, including whether they are achieving urban densities within adopted urban growth boundaries. The counties are Clark, King, Kitsap, Pierce, Snohomish, and Thurston.



HELP IS AVAILABLE TO CARRY OUT THE GMA

Regional transportation planning organizations (RTPOs) are authorized as voluntary associations of local governments within a county or within contiguous counties to conduct regional transportation planning. RTPO grants are available through the Washington State Department of Transportation to do regional transportation planning. RTPOs review the transportation elements of local comprehensive plans and county-wide planning policies and certify they are consistent with regional transportation plans.

Technical assistance for carrying out the GMA is available to cities and counties from Growth Management Services of OCD. For more information or copies of publications on GMA planning, call (360) 725-3000 or write Growth Management Services, OCD, 906 Columbia Street S.W., P.O. Box 48350, Olympia, Washington 98504-8350. You can also see Growth Management Services' Web site at www.ocd.wa.gov/growth.